

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

KHALIF MOHAMED DUALE,

CIVIL No.05-2998 (JRT/AJB)

PETITIONER,

v.

**ORDER**

SCOTT BANIECKE, FIELD DIRECTOR  
DETENTION AND REMOVAL, FOR  
BUREAU OF IMMIGRATION AND  
CUSTOMS ENFORCEMENT,

RESPONDENT.

Katherine Menendez, Assistant Federal Public Defender, **OFFICE OF THE FEDERAL PUBLIC DEFENDER**, 300 South Fourth Street, Suite 107, Minneapolis, Minnesota 55415, for petitioner

Robyn A. Millenacker, Assistant United States Attorney, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, Minnesota 55415, for respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Arthur J. Boylan dated April 26, 2006. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records, and proceedings herein,

**IT IS HEREBY ORDERED** that Petition for writ of habeas corpus

[Docket No. 1] is **DENIED AS MOOT**. IT IS FURTHER ORDERED dismissing this case with prejudice.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: May 12, 2006  
at Minneapolis, Minnesota

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s/John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge